

BEFORE

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2002-28-C - ORDER NO. 2002-139

MARCH 1, 2002

IN RE: Application of ITC^DeltaCom) ORDER GRANTING
Communications, Inc. DBA ITC^DeltaCom) MODIFIED
for Approval of Alternative Regulation of its) ALTERNATIVE
Interexchange Business Services.) REGULATION

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Application for approval of alternative regulation of the interexchange business services of ITC^DeltaCom Communications d/b/a ITC^DeltaCom (DeltaCom or the Company). DeltaCom seeks a relaxed form of regulation of its interexchange business services, consumer card services, operator service, and private line service offerings in keeping with the policy and procedures set out in Commission Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C. Specifically, the Company requests that certain of its business service offerings tariffs not be required to indicate maximum rates and that such tariffs be presumed valid upon filing, subject to the Commission's right within seven (7) days to institute an investigation of the tariff filing.

Pursuant to the instructions of the Commission's Executive Director, a Notice of Filing was published in the Commission's subscription service. No Protests or Petitions to Intervene were received. Accordingly, we will proceed to rule on the matter.

Alternative regulation of interexchange business services has been frequently approved by this Commission to promote competition in the telecommunications industry in South Carolina. The only exception has been our modification of alternative regulation

and re-imposition of rate caps with regard to certain “operator-assisted calls” where a consumer uses a local exchange carrier’s calling card to complete calls from locations which have not selected that local exchange carrier as their toll provider. See Docket No. 2000-407-C, Order No. 2001-997, dated November 8, 2001, which imposed a maximum cap of \$1.75 for operator surcharges for such calls, and a maximum cap of \$0.35 related to the flat per-minute rate associated with these calls.

Accordingly, with the exception of this type of operator-assisted call, we approve DeltaCom’s request for alternative regulation as stated above. We believe that alternative regulation, as modified by Order No. 2001-997, will continue to promote competition in the telecommunications industry in South Carolina.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)